

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WILLIAM ESCALERA, JR.,

Plaintiff,

- against -

MEMORANDUM AND ORDER
17-CV-4787 (RRM) (CLP)

CORRECTIONAL OFFICER LOREZANO,

Defendant.

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ROSLYNN R. MAUSKOPF, Chief United States District Judge.

Pro se plaintiff William Escalera, Jr., brought this action seeking damages for injuries allegedly incurred while incarcerated at Rikers Island. (Compl. (Doc. No. 1).) Following Escalera's multiple failures to appear at conferences, Magistrate Judge Cheryl L. Pollak issued a *sua sponte* report and recommendation ("R&R") on July 22, 2019, recommending that this action be dismissed for failure to prosecute if Escalera failed to contact the Court or defendant's counsel on or before September 20, 2019. (R&R (Doc. No. 41).) Judge Pollak reminded the parties that Federal Rule of Civil Procedure ("Rule") 72(b) requires that any objections to the R&R be filed within 14 days. (R&R at 4.) No party filed any objection, and the time to do so has now expired.

Pursuant to 28 U.S.C. § 636(b) and Rule 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

Accordingly, this action shall be dismissed for failure to prosecute *unless* Escalera contacts the Court or defendant's counsel on or before July 8, 2020. Should Escalera contact defendant's counsel, counsel shall notify the Court forthwith.

The Clerk of Court is respectfully directed to mail a copy of this Order to plaintiff at his

last known address and note the mailing on the docket.

SO ORDERED.

Dated: Brooklyn, New York
June 11, 2020

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
Chief United States District Judge